



City of Davenport
Revenue Department
 226 West 4th Street
 Davenport, Iowa 52801
 Phone (563) 326-7715

APPLICATION FOR MOBILE CART VENDOR
City Ordinance: Chapter 5.19

“Mobile cart vendor” means any person engage in selling tangible goods or foodstuff while moving around or in a stationary position utilizing a mobile vending cart, push cart, or vehicle. Any person vending ready to eat foodstuffs must be licensed under Chapter 5.19.

This is a “special license” and is required in addition to any other city business license the applicant or licensee may hold or be required to hold. Spaces are assigned on a first come first serve basis

Application Date _____ **Dates of Operation** _____ **Iowa State Sales Tax ID** _____

Business Name _____ **Owner / Operator** _____

Mailing Address: Street _____ City _____ State _____ Zip _____

Phone Number _____ Emergency Contact and Phone # _____

Type of Goods / Services to be Sold _____

Requested location _____
 (# of block) (Location)

I agree to abide by all regulations of the Mobile Cart Vendor policy. Final decision of the location or relocation is solely within the discretion of the City of Davenport. The City has the right to change the location of a vending cart upon a ten day notice to the vendor.

I hereby swear (or affirm) under penalty of perjury that the representations made by me in this application are complete, true and accurate, to the best of my knowledge and belief, and that I am authorized to execute this application.

Signature of Applicant _____ **Date** _____

 Witness (Clerk’s Office Representative)

Return to City Clerk’s office
 Service Period: April 15th – October 15th
 Fee \$100 / 6 months Charge Code 0221
 Attachments: A diagram or picture of cart
 A copy of liability insurance

For Office Use Only

Public Safety Committee _____ Approved _____ Disapproved
 Certificate of Insurance received date _____ Licensed Issued on _____

5.19.040 Vendor regulations and duties.

A. A mobile cart vendor shall not obstruct the passage along any sidewalk, street, alley or parking lot as a result of a congregation of people or the size or shape of any mobile vending cart or in any manner obstruct or interfere with the orderly flow of pedestrian traffic.

B. A mobile cart vendor shall not violate parking provisions.

C. A mobile cart vendor shall not sell on to any person operating a vehicle on a public street while said vehicle is in the travelled portion of the public street or highway. A mobile cart vendor may sell to a person operating or occupying a vehicle that is legally parked but may only conduct business on the curb side of any parked vehicle.

D. A mobile cart vendor shall not annoy, harass, call out to, cry, or by the use of any device make any noise or call attention to the sale of any goods, wares, articles or foodstuffs whatsoever.

E. Shall comply with all health department regulations regarding food handling, food preparation and food service and shall have a valid inspection certificate or permit(s) evincing health department inspection and approval.

F. Maintain the area around the mobile cart in a neat, clean and hazard free condition and shall not use public disposal facilities for the disposal of waste.

G. Remove any cart or equipment from the public area or right-of-way at the close of business each day. No cart or equipment shall be allowed to remain on public property or right-of-way between the close of business and the reopening of business.

H. All carts and structures shall be maintained so as to enhance the aesthetic and overall appearance of the area in which the cart or structure is operated and shall be kept clean and in good condition.

I. All mobile cart vendors shall indemnify and hold harmless the city from and against any and all loss, cost, damages or expenses to persons or property, including property of the city, arising out of or claimed to have arisen out of the operation of the mobile cart. Furthermore, mobile cart licensees shall defend, at no cost to the city, any such claims or suits, provided the city may, at its option, join in the defense of such claim or suit without relieving the licensee from any of its obligations to indemnify, hold harmless or defend the city.

J. The licensee shall obtain and keep in full effect at all times comprehensive liability and property damage insurance, covering any personal injury or property damage arising out of the permitted use, with liability limits of fifty thousand dollars for property damage and five hundred thousand dollars for personal injury. The policy shall name the city, its officers, employees and agents and additional insured and shall provide that the insurance is primary insurance and that no other insurance maintained by the city will be called upon to contribute to a loss covered by the policy. The policy shall provide thirty days' notice of cancellation or material change to the city.

K. The licensee has complied with all applicable laws concerning the sale or offering of sale of any goods or services and has obtained a state sales tax certificate if necessary.

L. The licensee shall only operate at the location assigned. In order to be assigned a location the application must be accompanied by a letter granting permission of the mobile vendor to operate on the premises from the property owner or business manager located on the premises. If at any time after the grant of a license to operate a mobile vending cart the property owner or business manager notifies the city in writing that it is rescinding its grant of permission to operate upon its premises and that the mobile cart licensee received notice of such rescission the license to operate at that location shall be deemed cancelled and void. The licensee will not be entitled to a refund of any fees paid to the city pursuant to this chapter for the privilege to operate a mobile cart at that location. (Ord. 2012-332 (part)).